

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

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R. ALEXANDER ACOSTA, Secretary of Labor, :  
United States Department of Labor, :  
 : Case No. 3:17-cv-01278 (DRD)  
Plaintiff, :  
 :  
v. :  
 :  
J.R. ORTIZ SECURITY INC.; JESUS RAUL :  
ORTIZ SERRANO; and YVONNE SANTANA, :  
 :  
Defendants. :  
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**MOTION TO APPROVE CONSENT JUDGMENT**

**COMES NOW** Plaintiff R. Alexander Acosta, Secretary of Labor, United States Department of Labor (“Secretary”) and hereby moves for approval of the Consent Judgment filed by Defendants as docket entry 45. This proposed Consent Judgment provides for the payment of back wages and liquidated damages that will be distributed to employees named on Exhibit A and requires the Defendants to comply with the Fair Labor Standards Act going forward. They are also required to inform their employees of the judgment.

This proposed Consent Judgment represents a fair and reasonable resolution of the Secretary’s claims under the Fair Labor Standards Act and is in the public interest. *S.E.C. v. Citigroup Global Markets, Inc.*, 752 F.3d 285, 294 (2d Cir. 2014)(consent judgment with enforcement agency should be approved where it is fair, reasonable, and does not disserve the public interest). *See also United States v. Cannons Eng'g Corp.*, 720 F. Supp. 1027, 1035 (D. Mass. 1989), *aff'd*, 899 F.2d 79 (1st Cir. 1990)(courts should recognize strong policy in favor of voluntary settlement of litigation with a federal administrative agency oriented in the field).

In the interest of justice and for good cause shown, plaintiff Secretary of Labor respectfully moves for the approval of the Consent Judgment filed at docket entry 45.

Respectfully submitted,

\DATED: February 23, 2018  
New York, New York

KATE S. O'SCANNLAIN  
Solicitor of Labor

JEFFREY S. ROGOFF  
Regional Solicitor

By: s/ Molly K. Biklen  
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Attorneys for R. ALEXANDER ACOSTA,  
*Secretary of Labor, Plaintiff*

**CERTIFICATE OF SERVICE**

I, MOLLY K. BIKLEN, an employee of the United States Department of Labor, in the Office of the Regional Solicitor, 201 Varick Street, New York, New York, certify that on the 23<sup>rd</sup> day of February, 2018, I electronically filed a copy of the Secretary's Motion for Approval of Consent Judgment with the Court and caused the same to be served on counsel for Defendants via the Court's ECF system:

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/s/ Molly K. Biklen  
MOLLY K. BIKLEN  
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